

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
WESTERN DIVISION**

THE STATE OF NORTH DAKOTA, *et al.*,

Plaintiffs,

v.

THE UNITED STATES DEPARTMENT OF
INTERIOR, *et al.*,

Defendants.

No. 1:24-cv-124-DMT-CRH

**DEFENDANTS' [PROPOSED] NOTICE
REGARDING DEVELOPMENTS IN A
RELATED CASE**

This notice relates to Defendants' Motion to Transfer this Case to the U.S. District Court for the District of Utah ("Motion to Transfer"), ECF No. 5. This case involves the U.S. Bureau of Land Management's Conservation and Landscape Health Final Rule, 89 Fed. Reg. 40,308 (May 9, 2024) (the "Rule" or "Public Lands Rule"). Defendants' brief in support of the Motion to Transfer informed the Court that there were, at the time, three cases challenging the Public Lands Rule: the first was filed in the District of Utah, the second was filed in this District, and the third was filed in the District of Wyoming. *See* Defs.' Mem. in Supp. of Mot. to Transfer at 3 & n.1, ECF No. 5-1.¹ Defendants informed the Court that they intended to also move to transfer the District of Wyoming case to the District of Utah so that all three cases could be heard together in front of one court. *See* Defs.' Reply in Supp. of Mot. to Transfer at 4, ECF No. 7. Defendants now wish to inform the Court that they have filed a motion to transfer in the Wyoming case and that the plaintiffs in that case have consented to transfer. *See* Defs.' Mot. to Transfer and Mem. in Support, *Am. Farm Bureau Fed'n v. U.S. Dept. of the Interior*, No. 1:24-

¹ The State of Alaska has since filed a fourth case in the District of Alaska. *See* Plaintiffs' Notice of Related Case, ECF No. 10.

cv-136-ABJ (Sept. 5, 2024), ECF Nos. 16 & 17, attached as Ex. 1; Pls.' Statement of Consent to Transfer of Venue, *Am. Farm Bureau Fed'n v. U.S. Dept. of the Interior*, No. 1:24-cv-136-ABJ (Sept. 9, 2024), ECF No. 18, attached as Ex. 2. Because the motion is unopposed, Defendants anticipate that the motion will be granted, meaning that two of the cases challenging the Public Lands Rule will be handled by the same judge in the District of Utah. This development is relevant because, as we argued in the Motion to Transfer, judicial economy would be served by having three cases challenging the Public Lands Rules heard in one court. And it is particularly significant because there is substantial overlap between the claims asserted in the Wyoming case and in this case.

Respectfully submitted this 9th day of September 2024.

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